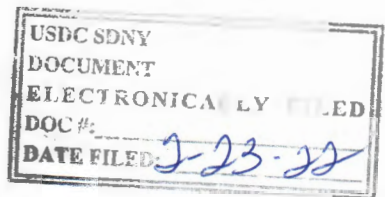


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
UNITED STATES OF AMERICA,



-against-

19-cr-0780 (LAK)

SYLVIA ASH,

Defendant.
----- x

**ORDER ON DEFENDANT'S
MOTION FOR A NEW TRIAL**

LEWIS A. KAPLAN, *District Judge*.

Defendant was convicted after a seven-day jury trial of conspiring to obstruct justice in violation of 18 U.S.C. § 371, obstruction of justice in violation of 18 U.S.C. 1512(c), and making a false statement to federal investigators in violation of 18 U.S.C. § 1001. She was acquitted of one count of obstruction of justice. She now moves for a new trial under Fed. R. Crim. P. 33 on the basis of claimed evidentiary errors and an allegedly erroneous ruling on a motion to suppress.

Motions for a new trial are strongly disfavored. "[T]he standard for granting such a motion is strict." *United States v. Gambino*, 59 F.3d 353, 364 (2d Cir. 1995). Such a motion should be granted only in extraordinary circumstances." *United States v. McCourty*, 562 F.3d 458, 475 (2d Cir. 2009).

Defendant, who bears the burden of showing entitlement to a new trial, *id.*, has not done so. In the Court's view, she has not even demonstrated that any of the evidentiary rulings presented a particularly difficult question, let alone that any of the Court's rulings abused its broad discretion. Her attack in the suppression ruling, which is reported at *United States v. Ash*, 464 F. Supp.3d 621 (S.D.N.Y. 2020), is without merit.

The motion for a new trial (Dkt 158) is denied in all respects.

SO ORDERED.

Dated: February 23, 2022

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan".

Lewis A. Kaplan
United States District Judge